

Contract User Guide for ENE40

ENE40 Ultra Low Sulfur Diesel and Biodiesel Statewide Contract

UPDATED: 6/14/2018

| | |
|--------------------------------|---|
| Contract #: | ENE40 |
| MMARS MA #: | ENE40* - ULSD - ENE40CAT2* - Biodiesel |
| Initial Contract Term: | 08/01/15 – 07/31/18 |
| Maximum End Date: | Options to renew: one (1), one (1) year renewal |
| Current Contract Term: | 08/01/2015 – 07/31/2018 |
| Contract Manager: | Michael Woods, 617-720-3191, Michael.Woods@State.MA.US |
| This Contract Contains: | Environmentally Preferable Products |
| UNSPSC Codes: | 15-10-15-05 Diesel Fuel 15-10-18-01 Biodiesel |

*The asterisk is required when referencing the contract in the Massachusetts Management Accounting Reporting System (MMARS).

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Contract Summary

This is a Statewide Contract for the purchase and delivery of Ultra Low Sulfur Diesel and Biodiesel (year round blend of B5, with the options to purchase blends of B10, B15 and B20). This is not a fixed-price contract; it is an indexed price contract. Price changes daily. See pricing and purchase details below.

Eligible Entities wishing to participate in this contract must make arrangements with the appropriate awarded vendor and must remain with the vendor for twelve months or the remainder of the contract term. Vendors have been directed to request this commitment in writing.

Contract Categories

This contract includes 2 categories of Diesel as listed below.

Category 1: (ULSD) Ultra Low Sulfur Diesel

Category 2: Biodiesel

Benefits and Cost Savings

Statewide contracts are an easy way to obtain benefits for your organization by leveraging the Commonwealth's buying power, solicitation process, contracting expertise, vendor management and oversight, and the availability of environmentally preferable products.

- Competitive Pricing
- Qualified and Experienced Vendors
- Prompt Pay Discount
- Lower differential pricing for the purchase of 8,000 gallons or more
- **Contract Renewal has removed the \$75.00 Service charge for deliveries under 500 gallons and locked in differential pricing for two years.**

Find Bid/Contract Documents

- To find all contract-specific documents, including the Contract User Guide, RFR, specifications, price sheets and other attachments, visit COMMBUYS.com and search for ENE40 to find related Master Blanket Purchase Order (MBPO) information.
- There are three vendors on this contract and the vendors have been assigned a unique Master Blanket Purchase Order (MBPO) each. Vendors' differential prices are located on the description for each line item identified with the Master Blanket Purchase Order. There are two line items on each MBPO, each being a zero dollar line. The first line is the differential price line, and the second line is for taxes.

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Who Can Use This Contract

Applicable Procurement Law

Executive Branch Goods and Services: MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00;

Eligible Entities

Please see the standard list of Eligible Entities on our [Who Can Use Statewide Contracts](#) webpage.

01. Cities, towns, districts, counties and other political subdivisions
02. Executive, Legislative and Judicial Branches, including all Departments and elected offices therein;
03. Independent public authorities, commissions and quasi-public agencies
04. Local public libraries, public school districts and charter schools;
05. Public Hospitals, owned by the Commonwealth;
06. Public institutions of high education
07. Non-profit, UFR-certified organizations that are doing business with the Commonwealth;
08. Other states and territories with no prior approval by the State Purchasing Agent required; and
09. Other entities when designated in writing by the State Purchasing Agent.

Pricing, Quote and Purchase Options

Purchase Options

The purchase options identified below are the only acceptable options that may be used on this contract:

- Purchases made through this contract will be direct, outright purchases.

Pricing Options

Contract ENE40 calls for the delivery of Ultra Low Sulfur Diesel (ULSD) and Biodiesel (year round blend of B5, with the options to purchase blends of B10 and B15) to be purchased at a fixed differential price to be applied to the low wholesale Boston Price as published daily in the OPIS-Oil Price Daily (Formerly the JOC). Additional taxes and federal environmental fees will be billed as separate line items on invoices.

Pricing of ULSD and Biodiesel is calculated as:

Summer Blend (Apr-Sep) ULSD Pricing

Ultra-Low Sulfur Diesel + Applicable Differential Price = Total Summer Blend Price

Winter Blend (Oct-Mar) ULSD Pricing

Ultra-Low Sulfur Diesel Premium* + Applicable Differential Price = Total Winter Blend Price

**Listed as "w/additive"*

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Product/Service Pricing and Finding Vendor Price Files

Product pricing may be found by:

Verifying the Commodity Price:

To find the published daily index wholesale price, go to the [ENEFY18 Daily Pricing Index](#) MBPO record on COMMBUYS.

To access the record manually:

- Go to www.commbuys.com.
- Click on “Contract & Bid Search” on the log-in page.
- Click the radio button for Contracts/Blankets.
- In the Contract/Blanket Description field, type in **ENEFY18 Daily Pricing Index**.
- Then click “Find It” (note: hitting Enter won’t work, you have to click Find It).
- Access MBPO record number PO-18-1080-OSD03-SRC02-10973.
- Under attachments open the Daily Index file for the date you would like to view. Diesel Prices are second from the top.

The Less Than Truckload Differential (LTL) pricing is applicable for all deliveries 7,999 gallons and under. The Truckload Differential (TL) pricing is applicable for deliveries of 8,000 gallons or more.

ULSD Differential Pricing-Effective 08/15/16:

| Zone | Vendor | ULSD ULSD PRM LTL | ULSD ULSD PRM TL |
|--------|-------------------------|-------------------------|------------------------|
| Zone 1 | Dennis K. Burke | \$0.0957 | \$0.0298 |
| Zone 2 | Dennis K. Burke | \$0.1233 | \$0.0393 |
| Zone 3 | Dennis K. Burke | \$0.1246 | \$0.0472 |
| Zone 4 | Diesel Direct, Inc. | \$0.1350 | \$0.0650 |
| Zone 5 | Dennis K. Burke | \$0.1199 | \$0.0487 |
| Zone 6 | Dennis K. Burke | \$0.1609 | \$0.0775 |
| Zone 7 | East River Energy, Inc. | \$0.1475 | \$0.0575 |
| Zone 8 | East River Energy, Inc. | \$0.4375 | \$0.1375 |

Example: The differential price for a LTL purchase in Zone 2 would be \$0.1233 per gallon.

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Biodiesel Differential Pricing-Effective 04/01/16:

| Zone | Vendor | B5 LTL | B5 TL | B10 LTL | B10 TL | B15 LTL | B15 TL | B20 LTL | B20 TL |
|------|-----------------|-----------|----------|------------|-----------|------------|-----------|------------|-----------|
| 1 | Diesel Direct | 0.1700 | 0.1250 | 0.1750 | 0.1300 | 0.1800 | 0.1350 | 0.1850 | 0.1400 |
| 2 | Diesel Direct | 0.1800 | 0.1250 | 0.1850 | 0.1300 | 0.1900 | 0.1350 | 0.1950 | 0.1400 |
| 3 | Diesel Direct | 0.1700 | 0.1250 | 0.1750 | 0.1300 | 0.1800 | 0.1350 | 0.1850 | 0.1400 |
| 4 | Diesel Direct | 0.2200 | 0.1350 | 0.2300 | 0.1450 | 0.2400 | 0.1550 | 0.2500 | 0.1650 |
| 5 | Global Montello | 0.1948 | 0.1621 | 0.1893 | 0.1567 | 0.1839 | 0.1512 | 0.1885 | 0.1558 |
| 6 | Global Montello | 0.1921 | 0.1621 | 0.1867 | 0.1567 | 0.1812 | 0.1512 | 0.1858 | 0.1558 |
| 7 | Dennis K Burke | 0.2316 | 0.1658 | 0.2816 | 0.2158 | 0.3316 | 0.2658 | 0.3916 | 0.3158 |
| 8 | Dennis K Burke | 0.2184 | 0.1662 | 0.2684 | 0.2162 | 0.3184 | 0.2662 | 0.3784 | 0.3162 |

Example: The differential price for a LTL purchase in Zone 2 for B5 would be 0.1800 per gallon.

Applicable Taxes/Fees:

The following additional taxes and federal environmental fees to be billed as separate line items on invoices:

- State Excise Tax for on-road use: \$0.24 cents per gallon
- Federal Leaking Underground Storage Tank (LUST): \$0.001 per gallon
- Federal Oil Spill Liability Trust Fund: \$0.00214 per gallon reinstated 3/1/2018
- Massachusetts Uniform Oil Response Fee: \$0.00119 per gallon

Setting up a COMMBUYS Account

COMMBUYS is the Commonwealth's electronic Market Center supporting online commerce between government purchasers and businesses. If you do not have one already, contact the COMMBUYS Help Desk to set up a COMMBUYS buyer account for your organization: (888)-627-8283 or COMMBUYS@state.ma.us.

*Per **801 CMR 21.00**, Executive Branch Departments must use established statewide contracts for the purchase of commodities and services. Specifically, Executive Departments are required to use OSD's statewide contracts, including designated statewide contracts, if available, for their specific commodity and service needs. Exceptions will only be permitted with prior written approval from the Assistant Secretary for Operational Services, or designee.*

When contacting a vendor on statewide contract, always reference ENE40 to receive contract pricing.

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Quick Search in COMMBUYS

Log into COMMBUYS, and use the Search box on the COMMBUYS header bar to locate items described on the MBPO or within the vendor catalog line items. Select Contract/Blanket or Catalog from the drop-down menu.

How to Purchase From the Contract

The Operational Services Division has set up this contract to allow buyers to record contract purchases in COMMBUYS **after** the purchase has been fulfilled by the vendor. To place an order, buyers will reach out to Statewide Contract Vendors outside of COMMBUYS. Once the vendor's invoice is received, buyers will record the transaction in COMMBUYS as an RPA Release Requisition *within one month of receiving the vendor's invoice*. Use the [How to Create an RPA Release Requisition](#) job aid for guidance.

- **Document items in COMMBUYS that have already been purchased**

This type of contract allows buyers to document a contract purchase in COMMBUYS that already has taken place through a Request for Payment Authorization (RPA) Release Requisition. It also allows MMARS users to easily keep track of spend. NOTE: MMARS and COMMBUYS do not interface –payment request and invoice should be reported in both MMARS and COMMBUYS separately. (See guidance below).

- Check the Zone listing (on page 10) to determine the city or town where you will have the diesel delivered. Contact the vendor responsible for that Zone to discuss locations, account requirements and arrange for delivery. The contract covers eight zones across the state. Each zone has one awarded contractor. These contractors are responsible for servicing the eligible users within that zone.
- Contract Users should continue to place orders in the normal fashion by contacting the appropriate vendor. Orders should not be placed through COMMBUYS. The order should be recorded once invoices are received using the RPA Release function. This contract has RPA Release enabled to allow contract users to capture spend after-the-fact associated with this contract. Contract Managers have carefully selected the contracts that would qualify for RPA Release transactions. Typically this is due to system or process impracticality and/or emergency situations preventing the standard COMMBUYS purchase order processes from being followed to process paper invoices. For more details please consult the COMMBUYS Policy Document.

ENE40 RPA Guidance

When conducting your Item Search, enter **ENE40** in the Item Description field. Record the following information on the Items tab in COMMBUYS:

- Line 1: Gallons – Enter the total gallons received under Quantity and the total price under Unit Price. Use *GAL* as the Unit of Measure (UOM). **This total should not include taxes.**
- Line 2: Taxes – Enter 1 under Quantity and the total amount of taxes under Unit Price. Use *DO* as the UOM.

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- Accurately enter the invoice number in the Invoice Number field for each item line.
- On the Attachments tab, include scanned copies of all records pertaining to the order, i.e. unofficial email quote, receipt of goods or services, final invoice, etc.

Note: OSD carefully selects contracts (in some cases specific contract categories or situations) that qualify for RPA Release transactions. These typically are situations where the prescribed purchasing process is impractical and/or there exists an emergency situation that prevents the standard COMMBUYS purchase order process.

If you have a COMMBUYS question, contact the COMMBUYS Help Desk at 888-MA-State (627-8283) or COMMBUYS@mass.gov.

Additional Services

Standalone Equipment

Contractors must provide on-site deliveries to stand alone equipment such as snow melters or other construction/lawns and grounds equipment. The differential pricing for this service is to be negotiated on a case by case basis.

Instructions for MMARS Users

MMARS users must reference the MA number in the proper field in MMARS when placing orders with any contractor.

Environmentally Preferable Products (EPP)

ULSD

Ultra Low Sulfur Diesel (ULSD) describes a new EPA standard for the sulfur content in on-road diesel fuel sold in the U.S. The allowable sulfur content for ULSD (15 ppm) is much lower than the previous U.S. standard for Low Sulfur Diesel (LSD, 500 ppm), which further reduces emissions of sulfur compounds (blamed for acid rain). ULSD also may be used with emission control retrofit devices that greatly reduce emissions of oxides of nitrogen and particulates that may contribute to asthma and other respiratory illnesses.

Biodiesel

Biodiesel is a renewable fuel made from agricultural resources, vegetable oils, and/or animal fats, that all provide the same amount of energy. Biodiesel reduces particulate matter and tailpipe emissions that impact climate change, such as carbon dioxide (CO₂) [although some increase in nitrogen dioxide (NO_x) may occur depending on the duty cycle of the engine]. Biodiesel is nontoxic, biodegradable, and suitable for sensitive environments, making biodiesel spills far less harmful to the environment and much less expensive to clean up than a diesel spill.

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Emergency Services

Many statewide contracts are required to provide products or services in cases of statewide emergencies. [ML - 801 CMR 21](#) defines emergency for procurement purposes. Visit the [Emergency Contact Information for Statewide Contracts](#) list for emergency services related to this contract.

Other Discounts

- **Prompt Pay Discounts:** A discount given to the buyer if paid within a certain time period. These discounts may be found in the [Vendor List and Information](#) section below. All discounts offered will be taken in cases where the payment issue date is within the specified number of days listed by vendor and in accordance with the Commonwealth's Bill Paying Policy. Payment days will be measured from the date goods are received and accepted / performance was completed OR the date an invoice is received by the Commonwealth, whichever is later to the date the payment is issued as an EFT (preferred method) or mailed by the State Treasurer. The date of payment "issue" is the date a payment is considered "paid" not the date a payment is "received" by a Contractor.



OPERATIONAL SERVICES DIVISION

Contract User Guide for ENE40

Vendor List and Information*

| Vendor | Master Blanket Purchase Order # | MMARS Vendor Code and Vendor Line | Contact Person | Phone # | Email | Categories | Zones | Discounts (PPD, Dock Delivery, Other) |
|-----------------------------|--|-----------------------------------|-----------------|------------------------------|--|-----------------|-------------|---------------------------------------|
| Dennis K. Burke Inc. | PO-15-1080-OSD01-OSD10-00000005074 | VC6000158869 Line 1 | Joe Cote | 800-289-2875 | joe.cote@burkeoil.com | Cat 1 ULSD | 1,2,3,5 & 6 | 0.25%- 10 days |
| Diesel Direct | PO-15-1080-OSD01-OSD10-00000005073 | VC0000205203 Line 2 | Mike Cataldo | 800-900-7787 | mike.cataldo@di eseldirect.com | Cat 1 ULSD | 4 | 0.25%- 10 days |
| East River Energy | PO-15-1080-OSD01-OSD10-00000005075 | VC0000112795 Line 3 | Maryanne Little | 800-336-3762 | mel@eastriverenergy.com | Cat 1 ULSD | 7,8 | 0.0013% - 10 days |
| Dennis K. Burke Inc. | PO-16-1080-OSD03-SRC02-00000006125 | VC6000158869 Line 3 | Joe Cote | 800-289-2875 | joe.cote@burkeoil.com | Cat 2 Biodiesel | 7,8 | 0.25%- 10 Days |
| Diesel Direct | PO-16-1080-OSD03-SRC02-00000006124 | VC00002052031 Line 1 | Mike Cataldo | 888-900-7787 | mike.cataldo@di eseldirect.com | Cat 2 Biodiesel | 1,2,3 & 4 | 0.25%- 10 Days |
| Global Montello Group Corp. | PO-16-1080-OSD03-SRC02-00000006126 | VC6000186832 Line 2 | Kevin Young | 781-398-4529 800-826-5686 | kyoung@globalp.com | Cat 2 Biodiesel | 5,6 | 0.25%- 10 Days |

*Note that COMMBUYS is the official system of record for vendor contact information.

** Price files may be found under ENEFY18 MBPO PO-18-1080-OSD03-SRC02-10973.

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Appendix A

| Zone 1 | Zone 2 | Zone 3 | Zone 4 | Zone 5 | Zone 5 | Zone 6 | Zone 7 | Zone 8 |
|---|---|--|--|--|---|---|--|--|
| ARLINGTON BELMONT BOSTON BRAINTREE BROOKLINE BURLINGTON CAMBRIDGE CANTON CHELSEA COHASSET DEDHAM DOVER EVERETT HINGHAM HOLBROOK HULL LEXINGTON LINCOLN MALDEN MEDFORD MELROSE MILTON NEEDHAM NEWTON NORWOOD QUINCY RANDOLPH REVERE SAUGUS SOMERVILLE STONEHAM WAKEFIELD WALTHAM WATERTOWN WELLESLEY WESTON WESTWOOD WEYMOUTH WILMINGTON WINCHESTER WINTHROP WOBURN | AMESBURY ANDOVER BEVERLY BOXFORD DANVERS DRACUT ESSEX GEORGETOWN GLOUCESTER GROVELAND HAMILTON HAVERHILL IPSWICH LAWRENCE LOWELL LYNN LYNNFIELD MANCHESTER MARBLEHEAD MERRIMAC METHUEN MIDDLETON NAHANT NEWBURY NEWBURYPORT NORTH ANDOVER NORTH READING PEABODY READING ROCKPORT ROWLEY SALEM SALISBURY SWAMPSCOTT TEWKSBURY TOPSFIELD WENHAM WEST NEWBURY | ABINGTON ACUSHNET ATTLEBORO AVON BERKLEY BRIDGEWATER BROCKTON CARVER DARTMOUTH DIGHTON DUXBURY EAST BRIDGEWATER EASTON FAIRHAVEN FALL RIVER FOXBOROUGH FREETOWN HALIFAX HANOVER HANSON KINGSTON LAKEVILLE MANSFIELD MARION MARSHFIELD MATTAPOISETT MEDFIELD MIDDLEBOROUGH NEW BEDFORD NORFOLK NORTH ATTLEBOROUGH NORTON NORWELL PEMBROKE PLAINVILLE PLYMOUTH PLYMPTON RAYNHAM REHOBOTH ROCHESTER ROCKLAND SCITUATE SEEKONK SHARON SOMERSET STOUGHTON SWANSEA TAUNTON WALPOLE WAREHAM WEST BRIDGEWATER WESTPORT WHITMAN WRENTHAM | BARNSTABLE BOURNE BREWSTER CHATHAM DENNIS EASTHAM FALMOUTH GOSNOLD HARWICH MASHPEE ORLEANS PROVINCETOWN SANDWICH TRURO WELLFLEET YARMOUTH | ACTON ASHLAND AUBURN AYER BARRE BEDFORD BELLINGHAM BERLIN BILLERICA BLACKSTONE BOLTON BOXBOROUGH BOYLSTON BROOKFIELD CARLISLE CHARLTON CHELMSFORD CLINTON CONCORD DOUGLAS DUDLEY DUNSTABLE EAST BROOKFIELD FRAMINGHAM FRANKLIN GRAFTON GROTON HARDWICK HARVARD HOLDEN HOLLISTON HOPEDALE HOPKINTON HUBBARDSTON HUDSON LANCASTER LEICESTER LITTLETON MARLBOROUGH MAYNARD MEDWAY MENDON MILFORD MILLBURY MILLIS MILLVILLE NATICK NEW BRAINTREE NORTH BROOKFIELD NORTHBOROUGH NORTHBRIDGE | OAKHAM OXFORD PAXTON PEPPERELL PETERSHAM PRINCETON RUTLAND SHERBORN SHIRLEY SHREWSBURY SOUTHBOROUGH SOUTHBRIDGE SPENCER STERLING STOW STURBRIDGE SUDBURY SUTTON TYNGSBOROUGH UPTON UXBRIDGE WARREN WAYLAND WEBSTER WEST BOYLSTON WEST BROOKFIELD WESTBOROUGH WESTFORD WORCESTER | ASHBURNHAM ASHBY ATHOL BERNARDSTON BUCKLAND CHARLEMONT COLRAIN DEERFIELD ERVING FITCHBURG GARDNER GILL GREENFIELD HAWLEY HEATH LEOMINSTER LEVERETT LEYDEN LUNENBURG MONTAGUE NEW SALEM NORTHFIELD ORANGE PELHAM PHILLIPSTON ROWE ROYALSTON SHELBURNE SHUTESBURY SUNDERLAND TEMPLETON TOWNSEND WARWICK WENDELL WESTMINSTER WINCHENDON | AGAWAM AMHERST ASHFIELD BELCHERTOWN BLANDFORD BRIMFIELD CHESTER CHESTERFIELD CHICOPEE CONWAY CUMMINGTON EAST LONGMEADOW EASTHAMPTON GOSHEN GRANBY GRANVILLE HADLEY HAMPDEN HATFIELD HOLLAND HOLYOKE HUNTINGTON LONGMEADOW LUDLOW MIDDLEFIELD MONSON MONTGOMERY NORTHAMPTON PALMER PLAINFIELD RUSSELL SOUTH HADLEY SOUTHAMPTON SOUTHWICK SPRINGFIELD TOLLAND WALES WARE WEST SPRINGFIELD WESTFIELD WESTHAMPTON WHATELY WILBRAHAM WILLIAMSBURG WORTHINGTON | ADAMS ALFORD BECKET CHESHIRE CLARKSBURG DALTON EGREMONT FLORIDA GREAT BARRINGTON HANCOCK HINSDALE LANESBOROUGH LEE LENOX MONROE MONTEREY MOUNT WASHINGTON NEW ASHFORD NEW MARLBOROUGH NORTH ADAMS OTIS PERU PITTSFIELD RICHMOND SANDISFIELD SAVOY SHEFFIELD STOCKBRIDGE TYRINGHAM WASHINGTON WEST STOCKBRIDGE WILLIAMSTOWN WINDSOR |

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